

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JD ANDERSON, CORY HARDIN, ERIC LEE, BRETT
MESSIEH, DAVID MUHAMMAD, RANJITH
THIAGARAJAN, CHASE WILLIAMS, and TOKEN FUND
I LLC individually and on behalf of all others similarly
situated,

Plaintiffs,

- against -

BINANCE, CHANGPENG ZHAO, YI HE, and ROGER
WANG,

Defendants.

Case No. 1:20-cv-02803

**NOTICE OF DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' SECOND
AMENDED CLASS ACTION COMPLAINT AND/OR TO COMPEL ARBITRATION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Declaration of James P. Rouhandeh dated February 16, 2021, and the exhibits attached thereto, Defendants Binance, Changpeng Zhao, Yi He, and Roger Wang (collectively, "defendants"), will move this Court before the Honorable Andrew L. Carter, Jr., United States District Judge, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, at a date and time to be determined by the Court, for an order dismissing with prejudice the Second Amended Class Action Complaint (Dkt. No. 55) pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(2), 12(b)(6), and the doctrine of *forum non conveniens*, and/or compelling arbitration of plaintiffs' claims, and granting such further relief as the Court deems proper and just.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Order dated December 15, 2020 (Dkt. No. 54), plaintiffs shall file any opposition to defendants' motion on

April 19, 2021, and defendants shall file any reply in further support of this motion on June 3, 2021.

Defendants respectfully request oral argument on this motion.

Dated: February 16, 2021

Respectfully submitted,

/s/ James P. Rouhandeh

James P. Rouhandeh

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